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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,868	06/15/2001	Chidambaram Krishnan	010362	8522
23696	7590	02/02/2006	EXAMINER	
QUALCOMM, INC 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			MOORTHY, ARAVIND K	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,868

Applicant(s)

KRISHNAN ET AL.

Examiner

Aravind K. Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 34-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the amendment filed on 12 December 2005.
2. Claims 34-53 are pending in the application.
3. Claims 34-53 have been rejected.
4. Claims 1-33 have been cancelled.

Response to Amendment

5. The examiner approves the amendment made to claims 51 and 52. The examiner withdraws the claims objection for improper dependency. Both the claims no longer depend upon themselves.

Response to Arguments

6. Applicant's arguments with respect to claims 34-53 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 34, 36-38, 40-48 and 50-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Cassidy et al U.S. Patent No. 6,480,725 B2.

As to claim 34, Cassidy et al discloses a Subscriber Identity Module (SIM) adapted for and powered by a wireless communication device (WCD), the WCD including a power management routine and a memory, the SIM comprising:

means for storing a first unique identifier [column 7 line 29 to column 8 line 3];

means for receiving a second unique identifier from the WCD at an initial power up of the WCD, the second unique identifier being entered by a user of the WCD [column 7 line 29 to column 8 line 3];

means for accessing the first unique identifier at the initial power up of the WCD to compare the first unique identifier to the second identifier and to permit access to the SIM by the WCD based on the comparison [column 7 line 29 to column 8 line 3];

means for automatically receiving the second unique identifier at a subsequent power up of the SIM without the user re-entering the second unique identifier following the SIM having been powered down under control of a power management routine performed by the WCD [column 7 line 29 to column 8 line 3];

means for comparing the second unique identifier received from the WCD to the first unique identifier following the subsequent power up [column 7 line 29 to column 8 line 3]; and

means for enabling access of the SIM by the WCD based on the comparison following the subsequent power up [column 7 line 29 to column 8 line 3].

As to claims 36 and 37, Cassidy et al discloses that the SIM includes an interface circuit for interfacing with the WCD [column 4 line 58 to column 5 line 9]. Cassidy et al discloses the interface circuit terminating power to the SIM during powering down [column 4 line 58 to column 5 line 9].

As to claim 38, Cassidy et al discloses a WCD including a power management routine and a memory and adapted for use with a SIM wherein the SIM stores a first unique identifier, the WCD comprising:

means for storing in the memory a second unique identifier generated in response to a user performing an initial power up of the WCD, wherein the second unique identifier is compared to the first unique identifier stored in the SIM to permit access to the SIM by the WCD following the initial power up [column 7 line 29 to column 8 line 3];

means, responsive to the power management routine, for powering down the SIM following the initial power up [column 7 line 29 to column 8 line 3];

means responsive to the power management routine for powering up the SIM following the powering down [column 7 line 29 to column 8 line 3];

means for automatically transmitting the second unique identifier to the SIM without the user re-entering the second unique identifier following the

powering up by the means responsive to the power management routine [column 7 line 29 to column 8 line 3]; and

means for detecting access to the SIM in response to the SIM matching the second unique identifier automatically transmitted from the WCD to the first unique identifier stored in the SIM [column 7 line 29 to column 8 line 3].

As to claims 40, 41 and 53, Cassidy et al discloses that the SIM includes an interface circuit for interfacing with the WCD [column 4 line 58 to column 5 line 9]. Cassidy et al discloses the means for powering up the SIM including providing power to the SIM [column 4 line 58 to column 5 line 9].

As to claims 42, 45 and 50, Cassidy et al discloses that the power management routine continues a power management cycle by maintaining power to the SIM when a match between the first and second identifiers occurs, and aborts the power-up process when a match between the first and second identifiers fails [column 7 line 29 to column 8 line 3].

As to claims 43, 46 and 51, Cassidy et al discloses that the power management routine terminates power to the SIM in response to a power down command and on the basis of a voting process [column 7 line 29 to column 8 line 3].

As to claims 44, 47 and 52, Cassidy et al discloses that terminating power to the SIM comprises terminating power to the SIM when no request is pending for service by the SIM and no software module running on the WCD requests maintenance of power to the SIM [column 5, lines 39-63].

As to claim 48, Cassidy et al discloses a computer-readable medium comprising instructions, including a power management routine, stored thereon for causing a WCD including a memory and adapted for use with a Subscriber Identity Module (SIM) that stores a first unique identifier to:

store in the memory a second unique identifier generated in response to a user performing an initial power up of the WCD, wherein the second unique identifier is compared to the first unique identifier stored in the SIM to permit access to the SIM by the WCD following the initial power up [column 7 line 29 to column 8 line 3];

power down the SIM in response to the power management routine following the initial power up [column 7 line 29 to column 8 line 3];

power up the SIM in response to the power management routine following the power down [column 7 line 29 to column 8 line 3];

automatically transmit the second unique identifier to the SIM without the user re-entering the second unique identifier following the power up in response to the power management routine [column 7 line 29 to column 8 line 3]; and

detecting access to the SIM in response to the SIM matching the second unique identifier automatically transmitted from the WCD to the first unique identifier stored in the SIM [column 7 line 29 to column 8 line 3].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 35, 39 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassidy et al U.S. Patent No. 6,480,725 B2 as applied to claims 34, 38 and 48 above, and further in view of Tushie et al U.S. Patent No. 6,014,748.

As to claims 35, 39 and 49, Cassidy et al does not teach that the first and second unique identifiers comprise Integrated Circuit Card Identifiers (ICCIDs).

Tushie et al teaches first and second unique identifiers that are Integrated Circuit Card Identifiers (ICCIDs) [column 18, lines 50-60].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Cassidy et al so that the identifier would have been ICCIDs.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Cassidy et al by the teaching of Tushie et al because the identifiers permit the system to address data stored in a data structure, such as a database, and specify the particular data needed by the system for each card to be issued [column 2, lines 46-65].

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aravind K Moorthy *AM*
January 30, 2006

Al
Primary Examiner
Av2131
1/31/06